

187831

ORIGINAL

STATE OF SOUTH CAROLINA

(Caption of Case)

Network Enhanced Technologies, Inc. Authority to Operate as a Reseller of Interexchange Telecommunication Services within the State of South Carolina

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2007 - 302 - C

(Please type or print)

Submitted by: Scott Elliott

SC Bar Number: 1872

Address: 721 Olive Steet Columbia, SC 29205

Telephone: 803-771-0555

Fax: 803-771-8010

Other:

Email: selliott@elliottlaw.us

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

- Emergency Relief demanded in petition Request for item to be placed on Commission's Agenda expeditiously Other:

Table with 2 columns: INDUSTRY (Check one) and NATURE OF ACTION (Check all that apply). Includes categories like Electric, Gas, Telecommunications and actions like Affidavit, Agreement, Application, etc.

ORIGINAL

ELLIOTT & ELLIOTT, P.A.
ATTORNEYS AT LAW
721 OLIVE STREET
COLUMBIA, SOUTH CAROLINA 29205
selliott@elliottlaw.us

SCOTT ELLIOTT

TELEPHONE (803) 771-0555
FACSIMILE (803) 771-8010

August 17, 2007

VIA HAND DELIVERY

Charles L. A. Terreni, Esquire
Chief Clerk and Administrator
South Carolina Public Service Commission
101 Executive Center Drive
Columbia, SC 29210

RECEIVED
2007 AUG 17 PM 4:39
SC PUBLIC SERVICE
COMMISSION

RE: Application of Network Enhanced Technologies, Inc. Authority
to Operate as a Reseller of Interexchange Telecommunication
Services within the State of South Carolina

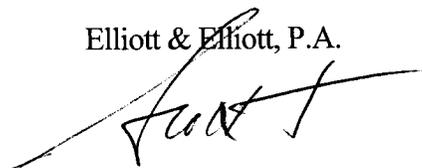
Dear Mr. Terreni:

Enclosed please find for filing an original and fifteen (15) copies of the Application of Network Enhanced Technologies, Inc. Authority to Operate as a Reseller of Interexchange Telecommunication Services within the State of South Carolina. By copy of this letter, I am serving the Office of Regulatory Staff.

I have enclosed an extra copy of this application which I would ask you to date stamp and return to me through my courier. If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me. Thank you.

Sincerely,

Elliott & Elliott, P.A.



Scott Elliott

SE/jcl
Enclosures

cc: Lance J.M. Steinhart, Esquire

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF SOUTH CAROLINA**

**IN RE: APPLICATION OF
NETWORK ENHANCED TECHNOLOGIES, INC.
AUTHORITY TO OPERATE AS A
RESELLER OF INTEREXCHANGE
TELECOMMUNICATION SERVICES
WITHIN THE STATE OF
SOUTH CAROLINA**

**DOCKET NO:
DATE:**

2007-302-C

**AND TO BE REGULATED IN ACCORDANCE WITH PROCEDURES ESTABLISHED FOR
ALTERNATIVE REGULATION IN ORDER NOS. 95-1734 AND 96-55 IN DOCKET
NO. 95-661-C.**

APPLICATION AND REQUEST FOR AUTHORITY

Network Enhanced Technologies, Inc. (hereinafter "Applicant"), by its attorney, hereby files this verified application, before the South Carolina Public Service Commission pursuant to its requirement for a Certificate of Public Convenience and Necessity to operate as a reseller of telecommunications services within the State of South Carolina and in support thereof would state the following:

1 Applicant's legal name is Network Enhanced Technologies, Inc. and its state of organization is California (see Attachment 1). Applicant has a certificate of authorization to do business in South Carolina from the Secretary of State. (see Attachment 2).

2 The principal business address and telephone number of the applicant is:

Network Enhanced Technologies, Inc.
700 S. Flower Street, Suite 420
Los Angeles, California 90017
Telephone: (213) 316-0400

3 Any question, notice, orders, correspondence or communication regarding this application should be directed to:

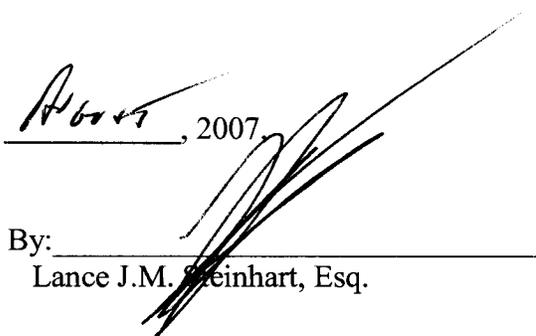
Lance J.M. Steinhart, Esq.
Lance J.M. Steinhart, P.C.
1720 Windward Concourse, Suite 250
Alpharetta, Georgia 30005
(770) 232-9200 (Phone)
(770) 232-9208 (Fax)
lsteinhart@telecomcounsel.com

Local Counsel:
Scott Elliott, Esq.
Elliott & Elliott, P.A.
721 Olive Street
Columbia, SC 29205
(803) 771-0555 (Phone)
(803) 771-8010 (Fax)

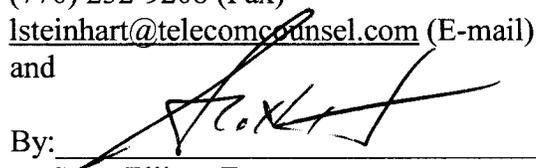
- 4 The officers and directors of Applicant are set forth in Attachment 3. Biographical information on Applicant's key management personnel are included in Attachment 4.
- 5 The Applicant's Profit & Loss Statement for the period ending July 31, 2006 and Balance Sheet as of July 31, 2006, is Attachment 5. This exhibit is offered in support of the financial ability of the Applicant.
- 6 Applicant submits contemporaneously with this application its proposed tariff (Attachment 6) which contains a description of services to be provided, all rules and regulations applicable to such services, and proposed rates for such services.
- 7 By this application, Applicant hereby asserts its willingness and ability to comply with all the rules and regulations that the Commission may lawfully impose upon Applicant's provision of service contemplated by this application.
- 8 Upon Commission request, Applicant is prepared to answer questions or present additional testimony or other evidence about its services within the state.
- 9 The Company hereby respectfully requests a waiver of 26 S.C. Code & Ann. Regs. 103-610, which requires books and records to be kept in the State of South Carolina, but rather, the Company desires to keep its books and records at its principal place of business.
10. The company hereby respectfully requests waivers of 26 S.C. Code Ann. Regs. 103-612.2.3 requiring the filing of operating area maps and of 26 S.C. Code Ann. Regs. 103-631 requiring publication of directories
11. Applicant hereby respectfully requests that its interexchange service offerings be regulated in accordance with procedures established for alternative regulation in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C.

Wherefore, Network Enhanced Technologies, Inc. hereby prays that the South Carolina Public Service Commission grants it authority to provide interexchange telecommunications services within the State of South Carolina and to be regulated in accordance with procedures established for alternative regulation in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C.

Respectfully submitted this 16 day of August, 2007.

By: 
Lance J.M. Steinhart, Esq.

Lance J.M. Steinhart, P.C.
1720 Windward Concourse, Suite 250
Alpharetta, Georgia 30005
(770) 232-9200 (Phone)
(770) 232-9208 (Fax)
lsteinhart@telecomcounsel.com (E-mail)
and

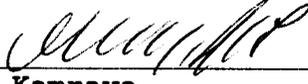
By: 
Scott Elliott, Esq.

Elliott & Elliott, P.A.
721 Olive Street
Columbia, SC 29205
(803) 771-0555 (Phone)
(803) 771-8010 (Fax)

Its Attorneys

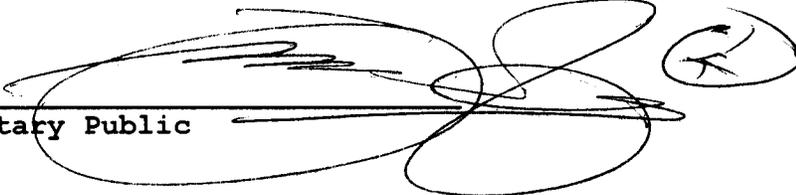
VERIFICATION OF APPLICANT

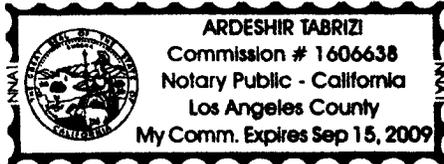
I, Kay Kamrava, President of Network Enhanced Technologies, Inc., a California Corporation, the applicant for a Certificate of Public Convenience and Necessity from the Public Service Commission of the State of South Carolina, verify that based on information and belief, I have knowledge of the statements in the foregoing Application, and I declare that they are true and correct.

X 
Kay Kamrava
President
Network Enhanced Technologies, Inc.

X Sworn to me, the undersigned
Notary Public on this
20 day of Feb, 2007.

State of California
County of Los Angeles


Notary Public



LIST OF ATTACHMENTS

Attachment 1 - Articles of Incorporation

Attachment 2 - Foreign Corporation Qualification

Attachment 3 - Officers & Directors

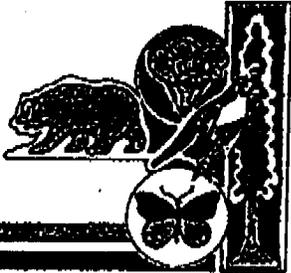
Attachment 4 - Biographical Information

Attachment 5 - Financial Information

Attachment 6 - Proposed Tariff

Attachment 1 - Articles of Incorporation

1768490



State
of
California

SECRETARY OF STATE'S OFFICE

CORPORATION DIVISION

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the annexed transcript has been compared with the corporate record on file in this office, of which it purports to be a copy, and that same is full, true and correct.

IN WITNESS WHEREOF, I execute
this certificate and affix the Great
Seal of the State of California this

AUG 15 1995



Bill Jones

Secretary of State

1768490

ENDORSED
FILED

In the office of the Secretary of State
of the State of California

AUG 14 1995

ARTICLES OF INCORPORATION

Bill Jones
BILL JONES, Secretary of State

1. The name of the corporation shall be NETWORK ENHANCED TECHNOLOGIES, INC.
2. The purpose of the corporation is to engage in any lawful act or activity for which a corporation may be organized under the general corporation law of California other than the banking business, the trust company business, or the practice of a profession permitted to be incorporated by the California Corporations Code.
3. The corporation's initial agent for service of process shall be BENJAMIN KISS 2121 Avenue of the Stars, 22nd Floor, Los Angeles, California 90067.
4. The corporation is authorized to issue 10,000 shares.
5. This corporation is a close corporation.
6. All the shares issued shall be held of record by no more than 30 persons.



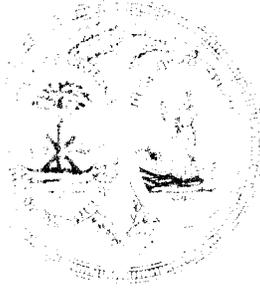
8/14/95

FRANK TIZABI-INCORPORATOR

DATE

Attachment 2 - Foreign Corporation Qualification

The State of South Carolina



Office of Secretary of State Mark Hammond

Certificate of Authorization

I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:

NETWORK ENHANCED TECHNOLOGIES, INC.,
a corporation duly organized under the laws of the state of **CALIFORNIA** and issued a certificate of authority to transact business in South Carolina on **October 17th, 2000**, has on the date hereof filed all reports due this office, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the Corporation that its authority to transact business in South Carolina is subject to being revoked pursuant to Section 33-15-310 of the 1976 South Carolina Code, and no application for surrender of authority to do business in South Carolina has been filed in this office as of the date hereof.

Given under my Hand and the Great
Seal of the State of South Carolina this
23rd day of March, 2007.

A handwritten signature in cursive script that reads "Mark Hammond".

Mark Hammond, Secretary of State

Attachment 3 - Officers & Directors

Officers:

Kay Kamrava	President
Sharoz Yroshalmaine	Vice President/Secretary

Directors:

Kay Kamrava
Sharoz Yroshalmaine

700 S. Flower Street, Suite 420
Los Angeles, California 90017

Attachment 4 - Biographical Information

Mohammad Kamrava, President from 1996 to Present. He is also CFO and he is responsible for finances, dealing with carriers, billing and day to day operations.

Sharoz Yroshalmiane, Vice President from 1996 to present, also the Secretary. Responsible for getting the right rate from carriers, customer service department, sales department and adding new services such as prepaid phone cards and day to day operation.

Attachment 5 - Financial Information

Network Enhanced Technologies, Inc
Profit & Loss
 January through July 2006

	<u>Jan - Jul 06</u>
Ordinary Income/Expense	
Income	
Income	
1+	
Cycle 1	69,523.03
Cycle 15	11,577.16
Cycle 16	42,916.47
Cycle 4	3,295,236.25
Cycle 5	827,757.23
Total 1+	<u>4,247,010.14</u>
Internet	
Internet-NET	1,979.89
Total Internet	<u>1,979.89</u>
LEC	2,312,424.28
PP OnLine	59,764.88
PP Phone Service	13,358.98
PP Pin	3,300.00
PP Recharge	40,859.96
Prepaid Cards	611,067.47
Services	2,434.40
Total Income	<u>7,292,200.00</u>
Interest Income	575.72
Total Income	<u>7,292,775.72</u>
Gross Profit	7,292,775.72
Expense	
Advertising	
Internet	3,550.67
Magazine/Newspaper	19,224.16
Radio	4,400.00
Recruiting	160.00
Total Advertising	<u>27,334.83</u>
Arbitration	1,718.75
Auto Expenses	
Fuel	6,910.07
Insurance	3,398.50
Lease	17,002.32
Repair	551.16
Ticket	35.00
Total Auto Expenses	<u>27,897.05</u>
Bad Debt	
LEC	26,098.26
Bad Debt - Other	36,904.51
Total Bad Debt	<u>63,002.77</u>
Bank Service Charge	13,260.58
Billing Processing Costs	
ACI	88,482.56
DCA	187,433.55
Total Billing Processing Costs	<u>275,916.11</u>
Check Printing	324.42
Commission Expense	432,571.98
Consulting	42,000.00
Consumer Report	10,829.81
Court Fees	16,750.00
Credit Card Processing Fees	42,711.05
DID Services	22,655.61
DS3	49,268.31
Fees	

Network Enhanced Technologies, Inc
Profit & Loss
 January through July 2006

	Jan - Jul 06
Filing	40.00
License Fee	766.15
Out of State	
Annual Report	2,906.00
Assessment Fee	150.00
Bond	200.00
Filing Fee	45.00
License Fee	433.00
PUC Fee	160.00
Regulatory Fee	77.00
Total Out of State	3,971.00
Total Fees	4,777.15
Insurance	
Dental	6,388.85
Health	
Employees	7,640.00
Officers	15,559.00
Total Health	23,199.00
Workers Comp	5,710.38
Total Insurance	35,298.23
Interest Expense	2,388.81
Internet Services	11,993.74
LEC Charges	207,258.51
LEC Factoring Expense	21,993.80
LEC Sales Adjustment	3,861.78
License Renewal	1,419.03
Meals & Entertainment	4,088.38
Office Expenses	2,538.82
Office Supplies	459.18
Operator Services	21,105.00
Payphone Surcharge	8,572.34
Payroll Expenses	
Bonus	300.00
Commission	6,296.34
Hourly	172,513.27
Officers' Salary	110,769.30
Salary	130,159.00
Sick Days	1,764.00
Vacation	2,405.93
Total Payroll Expenses	424,207.84
Payroll Taxes	
ETT	0.00
FUTA	1,319.73
Medicare CO	6,151.08
Social Security CO	26,300.91
SUI	10,227.87
Total Payroll Taxes	43,999.57
Penalty	91.25
Postage & Delivery	13,108.49
Printing & Production	44,970.76
Professional Fees	
Accounting	9,500.00
Legal	60,250.00
Total Professional Fees	69,750.00
Rent	
Building	100,389.39
Parking	11,866.05
Total Rent	112,255.44

Network Enhanced Technologies, Inc
Profit & Loss
 January through July 2006

	<u>Jan - Jul 06</u>	
Repairs		
SS7		251.96
Taxes		21,276.21
Business Tax Renewal		
California	3,222.58	
911		
CHCF-A	736.78	
CHCF-B	296.52	
CPUC	2,979.83	
CTF	220.22	
DEAF	194.01	
ULTS	397.92	
Total California	<u>1,919.30</u>	
Federal		6,744.58
Excise		
LNP	96,606.70	
NANP	6,802.57	
SOW	249.80	
TRS	70.74	
USF	27,527.47	
Total Federal	<u>43,203.83</u>	
Out of State		174,461.11
FL Communications	11,109.10	
Franchise Tax	1,511.00	
Gross Receipt		
DC	348.77	
Illinois	1.57	
Maryland	387.82	
Texas	5.80	
Total Gross Receipt	<u>743.96</u>	
HI Excise	585.39	
HI TRS	10.00	
Illinois Communications	37,218.83	
Illinois TIM/F	1,988.13	
MT Excise	104.81	
Sales		
Arizona	106.49	
Connecticut	2,739.00	
Kansas	1,166.17	
KY	5,832.15	
Mass	2,739.21	
Michigan	513.79	
Minnesota	1,792.00	
Mississippi	62.00	
Missouri	105.18	
NJ	5,913.00	
NY	639.75	
Ohio	3,888.28	
Oklahoma	585.71	
PA	3,912.60	
Texas	6,088.00	
Utah	14.62	
Washington	8,715.49	
Wisconsin	2,168.93	
WV	60.68	
Total Sales	<u>47,083.03</u>	
Texas 911	25.86	
USF		
Arizona	5.00	
Georgia	124.53	
NV	0.12	
Oregon	48.48	

Network Enhanced Technologies, Inc
Profit & Loss
January through July 2006

	<u>Jan - Jul 06</u>
Taxes	123.71
USF - Other	35.00
Total USF	<u>336.84</u>
Total Out of State	100,696.75
Utility Users	<u>23,489.90</u>
Total Taxes	308,614.92
Technical Support	25,000.00
Telephone & Communications	4,742,296.16
Telephones	1,091.85
Third Party Verification	1,501.55
Travel	13,975.38
Voice	<u>5,920.00</u>
Total Expense	<u>7,180,105.40</u>
Net Ordinary Income	112,670.32
Other Income/Expense	
Other Income	1,428.19
Other Income Refund	<u>534.85</u>
Total Other Income	<u>1,962.84</u>
Net Other Income	<u>1,962.84</u>
Net Income	<u><u>114,633.16</u></u>

Network Enhanced Technologies, Inc
Balance Sheet
As of July 31, 2006

	<u>Jul 31, 06</u>
ASSETS	
Current Assets	
Checking/Savings	
BANKS	
Payroll 675	5,320.06
Taxes 873	805.89
Wells Fargo Bank 083	177,906.22
Wells Saving #1085	<u>157,742.34</u>
Total BANKS	<u>341,774.51</u>
Total Checking/Savings	341,774.51
Accounts Receivable	
A/R	<u>1,073,711.09</u>
Total Accounts Receivable	1,073,711.09
Other Current Assets	
Deposits	
DS3	1,520.00
Franchise Tax Board ES	3,734.00
PRI	6,239.80
Rent	5,828.83
Security	<u>14,943.17</u>
Total Deposits	<u>32,065.80</u>
Total Other Current Assets	<u>32,065.80</u>
Total Current Assets	1,447,551.40
Fixed Assets	
Chassis	1,262.60
Comp. Parts & Acces.	
Acc. Depre.	-116,630.00
Comp. Parts & Acces. - Other	<u>149,447.40</u>
Total Comp. Parts & Acces.	32,817.40
Comp. Software	
Acc. Depre	-50,808.00
Comp. Software - Other	<u>60,159.99</u>
Total Comp. Software	9,553.99
Computers	
Acc. Depre.	-289,677.00
Computers - Other	<u>375,546.85</u>
Total Computers	75,869.85
Distribution Plant/Cisco	
Acc. Depre/Cisco	-3,559.00
Distribution Plant/Cisco - Other	<u>8,110.00</u>
Total Distribution Plant/Cisco	4,551.00

Network Enhanced Technologies, Inc
Balance Sheet
As of July 31, 2006

	<u>Jul 31, 06</u>
Distribution Plant/Platform	
Accu Depr/Platform	-202,175.00
Distribution Plant/Platform - Other	<u>551,187.50</u>
Total Distribution Plant/Platform	<u>349,012.50</u>
Distribution Plant/Space	
Acc.Depr.Space	-64,520.00
Distribution Plan/Space - Other	<u>215,000.00</u>
Total Distribution Plant/Space	<u>150,480.00</u>
Distribution Platform/Phoenix	
Acc.Depr.Phoenix	-107,036.00
Distribution Platform/Phoenix - Other	<u>497,956.20</u>
Total Distribution Platform/Phoenix	<u>390,920.20</u>
Distribution Platform/SHS	
Acc.Depr.SHS	-58,288.00
Distribution Platform/SHS - Other	<u>202,000.00</u>
Total Distribution Platform/SHS	<u>143,712.00</u>
Distribution Platform/Harris	
Acc Depr/Harris	-190,008.00
Distribution Platform/Harris - Other	<u>392,988.10</u>
Total Distribution Platform/Harris	<u>202,980.10</u>
Furn & Fixture	
Acc. Depr.	-49,711.00
Furn & Fixture - Other	<u>60,710.59</u>
Total Furn & Fixture	<u>10,999.59</u>
Leasehold Improvements	
Acc Depr.	-8,306.00
Leasehold Improvements - Other	<u>46,401.36</u>
Total Leasehold Improvements	<u>40,095.36</u>
Off Equip	
Acc. Depr. Off Equip	-70,416.00
Off Equip - Other	<u>104,361.26</u>
Total Off Equip	<u>33,945.26</u>
Patch Panel	
Acc Depr-Patch	-270.00
Patch Panel - Other	<u>1,797.00</u>
Total Patch Panel	<u>1,527.00</u>
Phone System	
Acc. Depr/Phone	-18,165.00
Phone System - Other	<u>77,825.00</u>
Total Phone System	<u>59,660.00</u>

Network Enhanced Technologies, Inc
Balance Sheet
As of July 31, 2006

	<u>Jul 31, 06</u>
Platform/Switch	
Acc. Depr	-3,850.00
Platform/Switch - Other	<u>3,850.00</u>
Total Platform/Switch	0.00
Server	8,587.85
Switch Costs	
Acc Depr. Switch Costs	-33,198.00
Switch Costs - Other	<u>50,355.00</u>
Total Switch Costs	27,157.00
Telephone System	
Accum Depr/Tel Sys	-5,788.00
Telephone System - Other	<u>5,787.97</u>
Total Telephone System	-0.03
Tester	
Acc-Depr-Tester	-10,604.00
Tester - Other	<u>10,603.66</u>
Total Tester	<u>-0.34</u>
Total Fixed Assets	1,543,111.33
Other Assets	
Intangible Assets (Amortizable)	
Accumulated Amortization	-1,500.00
Intangible Assets (Amortizable) - Other	<u>1,500.00</u>
Total Intangible Assets (Amortizable)	<u>0.00</u>
Total Other Assets	<u>0.00</u>
TOTAL ASSETS	<u><u>2,990,662.73</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	<u>34,942.57</u>
Total Accounts Payable	34,942.57
Credit Cards	
Wells Fargo #162	1,200.14
Wells Fargo #170	<u>7,399.03</u>
Total Credit Cards	8,599.17
Other Current Liabilities	
Account Payable- NET	
Telephone & Commun. Payable	<u>191,860.03</u>
Total Account Payable- NET	191,860.03

Network Enhanced Technologies, Inc
Balance Sheet
As of July 31, 2006

	<u>Jul 31, 06</u>
Customer Deposit	23,894.96
Loan From Shareholder	224,503.89
N/P-Computers	14,528.61
Payroll Liabilities	
ETT	0.15
FUTA	80.38
Total Payroll Liabilities	<u>80.53</u>
Taxes Payable	11,262.35
Total Other Current Liabilities	<u>465,911.37</u>
Total Current Liabilities	509,453.11
Long Term Liabilities	
N/P- United Capital	27,800.17
Total Long Term Liabilities	<u>27,800.17</u>
Total Liabilities	537,253.28
Equity	
Issued Common Stocks	3,000.00
Opening Bal Equity	2,194,997.10
Retained Earnings	140,779.19
Net Income	114,833.16
Total Equity	<u>2,453,409.45</u>
TOTAL LIABILITIES & EQUITY	<u><u>2,990,662.73</u></u>

Attachment 6 - Proposed Tariff

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a Customer's location to the Company's location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to a Customer, to enable the Company to identify the origin of the Customer so it may rate and bill the call. Automatic number identification (ANI) is used as the authorization code wherever possible.

Commission - Used throughout this tariff to mean the South Carolina Public Service Commission.

Company or NET - Used throughout this tariff to mean Network Enhanced Technologies, Inc., a California Corporation.

Customer - The person, firm, corporation or other legal entity which orders the services of the Company or purchases a Company Prepaid Calling Card and/or originates prepaid calls using such cards, and is responsible for the payment of charges and for compliance with the Company's tariff regulations.

Dedicated Access - The Customer gains entry to the Company's services by a direct path from the customer's location to the company's point of presence.

Holiday - New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Holidays shall be billed at the evening rate from 8 a.m. to 11 p.m. After 11 p.m., the lower night rate shall go into effect.

Prepaid Account - An inventory of Telecom Units purchased in advance by the Customer, and associated with one and only one Authorization Code as contained in a specific Prepaid Calling Card.

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- 2.3.2 The Company shall not be liable for, and shall be fully indemnified and held harmless by the Customer against any claim, loss, expense, or damage for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, trade name or service mark, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data or information transmitted.
- 2.3.3 No agent or employee of any other carrier or entity shall be deemed to be an agent or employee of the Company.
- 2.3.4 The Company's liability for damages, resulting in whole or in part from or arising in connection with the furnishing of service under this tariff, including but not limited to mistakes, omissions, interruptions, delays, errors, or other defects or misrepresentations shall not exceed an amount equal to the charges provided for under this tariff for the long distance call for the period during which the call was affected. No other liability in any event shall attach to the Company.
- 2.3.5 The Company shall not be liable for and shall be indemnified and saved harmless by any Customer or by any other entity from any and all loss, claims, demands, suits, or other action or any liability whatsoever, whether suffered, made, instituted, or asserted by any Customer or any other entity for any personal injury to, or death of, any person or persons, and for any loss, damage, defacement or destruction of the premises of any Customer or any other entity or any other property whether owned or controlled by the Customer or others.

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hours of 8:00 am and 4:00 pm unless provisions have been made to have someone available to accept payment and reconnect service.

2.5.2 Without incurring liability, the Company may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and the proper installation and operation of Customer and the Company's equipment and facilities and may continue such interruption until any items of noncompliance or improper equipment operation so identified are rectified.

2.5.3 Service may be discontinued by the Company without notice to the Customer, by blocking traffic to certain countries, cities or NXX exchanges, or by blocking calls using certain Customer authorization codes, when the Company deems it necessary to take such action to prevent unlawful use of its service. The Company will restore service as soon as it can be provided without undue risk, and will, upon request by the Customer affected, assign a new authorization code to replace the one that has been deactivated.

2.5.4 Customer will be liable for all usage on any of the Company's service offerings until the Customer actually leaves the service. Customers will continue to have Company usage until the Customer notifies its local exchange carrier and changes its long distance carrier. Until the Customer so notifies its local exchange carrier, it shall continue to generate and be responsible for long distance usage.

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4.7 Rate Periods

	Monday - Friday	Sat.	Sun.
8 a.m. to 5 p.m.*	Daytime Rate Period		
5 p.m. to 11 p.m.*	Evening Rate Period		Evening Rate Period
11 p.m. to 8 a.m.*	Night/Weekend Rate Period		

* To, but not including

When a message spans more than one rate period, total charges for the minutes in each rate period are calculated and the results for each rate period are totaled to obtain the total message charge. If the calculation results in a fractional charge, the amount will be rounded up to the higher cent.

4.8 Payphone Dial Around Surcharge

A dial around surcharge of \$.30 per call will be added to any completed INTRAsate toll access code and subscriber toll-free 800/888 type calls placed from a public or semi-public payphone.

4.9 Universal Service Fund Assessment

The Customer will be assessed a monthly Universal Service Fund Contribution charge on all telecommunications services, which in no event shall be less than the prevailing contribution percentage rate charged the Company on intrastate traffic by the Universal Service Administrative Company (or any successor) or any state agency or its administrator.

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